

Fire Safety Code Board

Of Appeal & Review

Minutes of October 27, 2009 hearing

The Rhode Island Fire Safety Code Board of Appeal & Review met at their headquarters located at 1 Regan Court, Varley Building #46, in Cranston, RI on Tuesday, October 27, 2009 at 1:00 P.M. Present were Acting Chairman Newbrook and Commissioners Filippi, Preiss, Blackburn, Jasparro, Dias, Walker and Richard. Chairman Coutu and Commissioners Pearson and Jackson were absent from the hearing. Also present were Executive Director Thomas B. Coffey, Jr. and Deputy Director Carol Marsella. The following cases were heard.

APPEAL #060662: Dr. Paul Kirk, for the property located at 4573-4575 Post Road in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Jasparro to grant the Applicant a time variance of thirty (30) days to submit plans for the correction of any outstanding deficiencies that remain from the Warwick Fire Marshal's April 17, 2006 inspection report. The Applicant is granted an additional 120 days in which to implement that plan of action. The Warwick Fire Marshal's office is authorized to extend the above deadlines for good faith efforts being shown by the Applicant. The motion was unanimous.

APPEAL #060760: Mr. Earle J. Wright, for the property located at 679

Warwick Avenue, Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. Commissioner Walker made a motion, seconded by Commissioner Blackburn, to direct the Applicant to either reduce the square footage of this facility to under 2500 square feet, or to install a compliant fire alarm system. The Applicant is granted a time variance of thirty days to submit plans for one of the above choices to the Warwick Fire Marshal's office and an additional 120 days in which to implement his chosen plan of action. The Warwick Fire Marshal's office is authorized to extend the above deadlines for good faith efforts being made by the Applicant. The motion was unanimous.

APPEAL #060649: Mr. Yuri Blazar, for the property located at 42 Ladd Street in Warwick. ADSFM Peter Marietti appeared for the Warwick Fire Marshal's office. ADSFM Marietti testified that of the four (4) buildings in this complex, buildings three and four are compliant. Buildings one and two are not occupied at this time. Commissioner Filippi made a motion, seconded by Commissioner Richard, to direct the Applicant to correct the outstanding deficiencies in buildings one and two prior to re-occupancy. The motion was unanimous.

APPEAL #080161: Mr. Paul Dietel, for the property located at 60 George Street in Providence. ADSFM Timothy Lutz appeared for the Providence Fire Marshal's office. Commissioner Blackburn recused himself from consideration of this case. Commissioner Dias made a motion, seconded by Commissioner Richard, to grant a variance from

the provisions of section 7.1.3.2.1(5) to allow the cited attic space to be permitted to open to the exit stair. There was no objection from the Providence Fire Marshal's office and the motion was unanimous.

APPEAL #070428: Mr. Ronald R. Smith, for the property located at 174 Hartford Pike, Foster. DSFM Christine Kent appeared for the State Fire Marshal's office. Commissioner Blackburn made a motion, seconded by Commissioner Jasparro, to grant the Applicant a time variance of thirty days to submit plans for the correction of the locking devices on the cited security doors and an additional 120 days in which to make the corrections. The motion passed with Commissioners Preiss and Dias opposed.

APPEAL #080047: Mr. Dan Calise, for the property located on Route 6 in Foster (Danny's Auction Barn). DSFM Albert Heroux appeared for the State Fire Marshal's office. Commissioner Jasparro made a motion, seconded by Commissioner Richard, to grant the Applicant a time variance of thirty (30) days in which to submit plans to the State Fire Marshal's office for the correction of any outstanding deficiencies and an additional 120 days in which to implement those plans, at the direction and to the satisfaction of the State Fire Marshal's office. The State Fire Marshal's office is authorized to extend the above deadlines for good faith efforts being made by the Applicant. The motion was unanimous.

APPEAL #080141: Mr. Michael Gordon, for the property located at

1661 Lonsdale Avenue, Lincoln. Chief Timothy Griffin appeared for the Lonsdale Fire District. Commissioner Preiss made a motion, seconded by Commissioner Jasparro, to allow the Applicant not to install sprinklers in this facility, provided he vacates the fourth floor and install a municipal fire alarm system, at the direction and to the satisfaction of the Lonsdale Fire District Fire Marshal's office. The Applicant is granted a time variance of thirty (30) days to submit plans for the fire alarm installation and an additional 120 days to complete the installation. The motion passed over the objection vote of Commissioner Blackburn.

APPEAL #070091: Crotty & Son Body Works, for the property located at 4049 South County Trail, Charlestown. DSFM Dennis McGarty appeared for the State Fire Marshal's office. Commissioner Preiss made a motion, seconded by Commissioner Dias, to grant the Applicant 120 days in which to finish the installation of the spray booth in this facility and to complete the fire alarm upgrades. The motion was unanimous.

APPEAL #090148: Guaranty Properties, for the property located at 500 Wood Street in Bristol (Unit 45). Deputy State Fire Marshals Paul Manning and Octavio Vieira appeared for the State Fire Marshal's office. Commissioner Dias made a motion, seconded by Commissioner Filippi, to grant the Applicant a time variance of thirty days in which to submit plans to the State Fire Marshal's office for the installation of a fire alarm system in this facility and an additional 120

days in which to implement that plan. The Applicant is granted the same time frame in which to have a dust collection survey prepared and implemented for this facility. The State Fire Marshal's office is granted the authority to extend the above deadlines for good faith efforts shown by the Applicant.

APPEAL #050233A: Mr. Wayne Pandolfi, for the property located at 1022 Eddie Dowling Highway in North Smithfield. ADSFM Brian Gartland appeared for the North Smithfield Fire Marshal's office. This file will be held open while a determination is made in court. If this is remanded back to the Board, it will then be heard.

Correspondence: Executive Director Tom Coffey read a letter submitted by Lt. Lisa Krapf of the Providence Fire Marshal's office in which she outlined her disagreement with some of the wording in a decision issued for a facility located at 80 Smith Street in Providence. The Board determined that the Executive Director should not amend the decision. The letter was filed.

Respectfully submitted,
Carol Marsella